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interest on their bonds, for otherwise it would be lost to them forever. Their interests are, therefore, directly opposed to those of the directors and stockholders. In the inevitable conflicts that have ensued the courts have favored the bondholders. *Morse v. Bay State Gas Co.*, 91 Fed. 938; *Buel v. Baltimore, etc. Ry. Co.*, 24 N. Y. Misc. 646; *Schmidt v. Louisville, C. & L. Ry. Co.*, 27 Ky. L. Rep. 21. In the principal case the railroad was not permitted to conceal the earnings of a subsidiary company under the guise of a "loan" to itself. Income bonds are now falling into disuse, for they are vain attempts to make their holders both secured creditors of and participants in a single enterprise. They are unknown in England, for the English debenture bond is better adapted to the situation. See 24 HARV. L. REV. 389. In this country the new system of accounting under the Interstate Commerce Commission will probably lessen the number of these disputes, in the case of railroads. The principal case is discussed in its financial aspect in LOUGH, CORPORATION FINANCE, 383.

CEMETERIES — RIGHT OF OWNER OF FEE TO ENJOIN REPEATED TRESPASSES. — One of the avenues of the plaintiff's cemetery ran along the west side of the grounds, with a hedge fence on the west line of this avenue. The defendants, owners of an adjoining cemetery, proceeded to connect their driveways with this avenue by repeatedly destroying the hedge, and by scraping down the road to a level with their own driveways. The plaintiff sued for an injunction. *Held*, that the injunction be granted. *Mount Hope Cemetery Ass'n v. New Mount Hope Cemetery Ass'n*, 246 Ill. 416.

The defense was that the plaintiff by platting its lands for cemetery purposes had dedicated the avenues to a public use, so that the defendants had a right to connect their cemetery driveways with those of the plaintiff. It is well recognized that land may be dedicated for a cemetery. *Pierce v. Spafford*, 53 Vt. 394. Yet, whatever may be the qualified title or estate of a lot-owner in a lot, the dedicatory still retains the fee of the rest of the land, subject only to the easement in the public for cemetery purposes. *Buffalo City Cemetery v. Buffalo*, 46 N. Y. 503. And he may maintain trespass for any encroachment on the land which is inconsistent with the proper use of the public easement. *Trustees of First Evangelical Church v. Walsh*, 57 Ill. 363. *Cf. Lade v. Shepherd*, 2 Str. 1004; *Pomeroy v. Mills*, 3 Vt. 279. The driveways are not highways, but a part of the cemetery. *Evergreen Cemetery Ass'n v. New Haven*, 43 Conn. 234. Hence an abutting owner can have no right of access. The use to which the abutting owner puts his land makes no difference in principle. Since in the principal case there was no dispute as to the plaintiff's title, the repeated trespasses gave good ground for an injunction. *Carpenter v. Gwynn*, 35 Barb. (N. Y.) 395.

CHOSSES IN ACTION — GIFTS — DELIVERY OF CERTIFICATE OF STOCK. — The owner of stock in a corporation delivered to his daughter, with the intention of making a present gift, five unindorsed certificates of stock and five sealed instruments, purporting to convey the shares. Some of these deeds contained an express power of attorney to transfer the stock on the books of the corporation, and some did not. *Held*, that the daughter is entitled to all the stock, as against the donor's residuary legatees. *Talbot v. Talbot*, 78 Atl. 535 (R. I.). See NOTES, p. 481.

CONFLICT OF LAWS — PERSONAL JURISDICTION — STATUTE AUTHORIZING EXTRATERRITORIAL SERVICE ON RESIDENTS OF STATE. — The defendant, a resident of Iowa, was personally served in South Dakota in compliance with a statute of Iowa which authorized the rendering of a judgment *in personam* against a resident on such service. *Held*, that the statute is unconstitutional. *Raher v. Raher*, 129 N. W. 494 (Ia.). See NOTES, p. 486.